

REMARKS

Claims 1 and 4 have been amended, and claim 5 canceled to improve the clarity of the claimed subject matter and to bring the claims into conformity with U.S. practice and format, and to place the application fully in condition for allowance. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case. The original Abstract has been amended to provide a more concise summary of the disclosure in accordance with U.S. practice format.

The drawings are objected to because the claimed subject matter of claim 5 is not shown in the drawings. Accordingly, claim 5 has been cancelled.

Claims 1 and 5 are objected to due to informalities. Claim 5 has been cancelled, and claim 1 has been amended to delete the objected to phrase. In view of the amendments to claim 1, withdrawal of this objection is requested.

Claims 1-4 remain pending upon entry of the amendments to the claims above.

Claim Rejections under 35 U.S.C. § 102

Claims 1-5 are rejected under 35 U.S.C. § 102 as being anticipated by U.S. 5,005,436 (Brusasco). Claim 1 has been amended to more clearly claim the inventive subject matter. Claim 5 has been cancelled.

Applicants respectfully wish to direct the Examiner's attention to MPEP § 2131 which states that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236,

9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed.Cir. 1990).

Claim 1 has been amended to more positively recite the recessed grooves (202) and flanges (201) that are formed on respective first and second half bent tubes (shown in Figure 2 of the application), wherein the flanges (201) interlocked into the respective grooves (202) form parts of the inner and outer walls of the U-shaped arcuate elbow tube (shown in Figure 3 of the application).

In contrast, the Examiner has equated the holes 21 and the pins 20 of Brusasco to the recessed grooves (202) and flanges (210) of the claimed invention. As illustrated in Figure 13 of Brusasco, the pins 20 do not form any part of the inner or outer walls of the tube through which the ball bearings circulate. The equated structure is highly complex that requires substantially more material to manufacture, as compared with the claimed invention.

An advantage of the claimed invention is that the first and second half tubes require a single mold, since they are identical structures that are opposingly positioned (as illustrated in Fig. 2 of the application), thus reducing the number of molds required and the overall cost of manufacture. Further, since the flanges (201) form parts of both the inner and outer walls of the U-shaped arcuate elbow tube, the overall tube structure is further minimized in terms of material used to form it, thus reducing the cost of manufacture.

In view of the amendments to the claims, and the remarks above, withdrawal of this rejection is respectfully requested.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the

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event there are any outstanding matters remaining in the present application which can be resolved by a telephone call or facsimile communication to Applicants' Attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,
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